



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

November 10, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:00 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; and Tom Fitzhenry.

Council Members Absent: Pat Elliott and Edwina Garcia.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; and Cheryl Krumholz, Executive Coordinator.

Item # 1	DISCUSSION REGARDING THE RENAMING OF 77TH STREET
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Mayor Goettel stated she supported the renaming because it was appropriate timing with the 77th Street underpass project. She stated that Council Members Elliott and Garcia and Tim Carter as a business representative supported the renaming.

The City Council suggested:

- Skyway Boulevard/Parkway
- Martin Sabo Boulevard
- Wold-Chamberlain Boulevard/Parkway

Council Member Sandahl stated there is a policy not to name a street after someone still living but Mr. Sabo, who had a significant impact in obtaining the 77th Street project funding, is retired from public service and the City Council could make an exception.

The City Council directed staff to gain citizen input on the suggested names through Richfield Connect and have discussions with impacted businesses, the Chamber of Commerce and the City of Edina.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:15 p.m.

Date Approved: November 25, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special Concurrent City Council and Planning Commission Worksession

November 10, 2014

CALL TO ORDER

The concurrent worksession was called to order by Mayor Goettel at 6:15 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; and Tom Fitzhenry.

Council Members Absent: Pat Elliott and Edwina Garcia.

Planning Commission Present: Rick Jabs, Chair; Tom Rublein; Alison Groebner; and Daniel Kitzenberger.

Planning Commission Members Absent: Charles Standfuss; Susan Rosenberg; and Gordon Vizecky.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/ Police Chief; Melissa Poehlman, City Planner; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

Item #1	DISCUSSION REGARDING MEDICAL MARIJUANA DISPENSARIES (COUNCIL MEMO NO. 109)
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City Attorney Tietjen provided an overview of the current legislation. She stated cities could prohibit the sales but it could be challenged because it would be in direct conflict with State law and convincing rationale would be required.

Community Development Director Stark reviewed the restrictions and regulations that could be imposed with a conditional use permit.

Public Safety Director/Police Chief Henthorne discussed public safety concerns.

The concurrent worksession was adjourned by unanimous consent at 6:50 p.m.

Date Approved: November 25, 2014.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

November 10, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; and Tom Fitzhenry.

Council Members Absent: Pat Elliott and Edwina Garcia.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Jeff Pearson, Transportation Engineer; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

Mary Barnes, 7544 Bryant Avenue, spoke about the City's delay in repairing the end of her driveway.

Alicia Leizinger, 7200-14th Avenue, spoke about prohibiting e-cigarette use in public places.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Sandahl, S/Fitzhenry to approve the minutes of the (1) Special City Council and HRA Worksession of October 20, 2014; (2) Special City Council Worksession of October 28, 2014; and (3) Regular City Council Meeting of October 28, 2014.

Motion carried 3-0.

Item #1

PRESENTATION OF THE PUBLIC HEALTH COMMUNITY ASSESSMENT AND PRIORITIZATION OF COMMUNITY HEALTH NEEDS IN RICHFIELD (COUNCIL MEMO NO. 111)

Kirsten Johnson, Advisory Board of Health Co-chair, made the presentation.

M/Goettel, S/Sandahl to accept the Richfield Public Health Top Eleven Health Issues work of the Richfield Advisory Board of Health in the prioritization and assessment process that covers the 2015-2019 Community Health Services Plan.

Motion carried 3-0.

Item #2	ANNUAL MEETING WITH THE PLANNING COMMISSION
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Rick Jabs, Chair, provided an update.

Item #3	OATH OF OFFICE TO RECENTLY APPOINTED RICHFIELD PUBLIC SAFETY DIRECTOR JAY HENTHORNE
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Mayor Goettel administered the Oath of Office to Public Safety Director Henthorne.

Item #4	COUNCIL DISCUSSION <ul style="list-style-type: none">• Cancel or reschedule December 23, 2014 Regular City Council Meeting• Hats Off to Hometown Hits
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M/Goettel, S/Sandahl to cancel the December 23, 2014 Regular City Council Meeting.

Motion carried 3-0.

Council Member Sandahl acknowledged the successful September 20 Bike to the Farmers Market in Richfield, an I-494 Corridor Commission promotion for alternate forms of transportation.

Council Member Fitzhenry announced the November 19 MAC Noise Oversight Committee meeting.

Council Member Fitzhenry requested the City Council consider reviewing and revising the food to liquor ratio requirement for intoxicating liquor licenses.

Item #5	COUNCIL APPROVAL OF AGENDA
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M/Sandahl, S/Goettel to approve the agenda.

Motion carried 3-0.

Item #6	CONSENT CALENDAR
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- A. Consideration of the approval of the first reading of an ordinance increasing the number of on-sale wine licenses in the City from 12 to 17 S.R. No. 195
- B. Consideration of the approval of the first reading of an ordinance increasing the number of on-sale 3.2 percent malt liquor licenses in the City from 15 to 20 S.R. No. 196
- C. Consideration of the approval of the setting of a public hearing to be held on December 9, 2014 for the consideration of the renewal of on-sale wine and on-sale 3.2 percent malt liquor licenses for 2015 for Last Call Operating Co. II, Inc. d/b/a/ Champps Americana (Richfield Ice Arena location), Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle

- Mexican Grill, Thompson's Fireside Pizza, Inc. d/b/a Fireside Pizza, Joy's Pattaya Thai Restaurant, Lariat Lanes, The Noodle Shop Co. Colorado, Inc. d/b/a Noodles and Company (two locations), Patrick's Bakery & Café, Henry Thou d/b/a Red Pepper Chinese Restaurant S.R. No. 197
- D. Consideration of the approval of setting a public hearing to be held on December 9, 2014 for the consideration of the renewal of on-sale intoxicating and Sunday liquor licenses for 2015 for Last Call Operating Co. II, Inc. d/b/a Champps Americana, Don Pablo's Operating Corporation d/b/a Don Pablo's, Tejaban Mexica Grill, LLC d/b/a El Tejaban Mexican Restaurant, Financial Guidance, Inc. d/b/a Four Points by Sheraton, Frenchman's Pub, Inc. d/b/a Frenchman's, Wiltshire Restaurants, LLC d/b/a Houlihan's Restaurant & Bar, Khan's Mongolian Barbeque, Lyn 65, LLC d/b/a Lyn 65, Pizza Luce VII, Inc. d/b/a Pizza Luce, Minneapolis-Richfield American Legion Post 435 and Fred Babcock VFW Post 5555 d/b/a Four Nickels Food & Drink S.R. No. 198
- E. Consideration of the approval of setting a public hearing to be held on December 9, 2014 for the consideration of the renewal of pawnbroker and secondhand goods dealer licenses for 2015 for University Cash Company, LLC d/b/a Avi's Pawn and Jewelry and Metro Pawn and Gun, Inc. S.R. No. 199
- F. Consideration of the approval of a resolution for a grant from the Office of Justice Programs for bulletproof vest in the amount of \$4,586.10 S.R. No. 200

RESOLUTION NO. 10998

RESOLUTION AUTHORIZING RESOLUTION APPROVING THE GRANT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS AND RICHFIELD POLICE FOR BULLETPROOF VESTS

This resolution appears as Resolution No. 10998.

- G. Consideration of the approval of a resolution for approval of a mutual aid pact with Hennepin County for the use of law enforcement personnel and equipment S.R. No. 201

RESOLUTION NO. 10999

RESOLUTION AUTHORIZING RESOLUTION APPROVING JOINT AND COOPERATIVE AGREEMENT FOR USE OF LAW ENFORCEMENT PERSONNEL AND EQUIPMENT

This resolution appears as Resolution No. 10999.

- H. Consideration of the approval of the continuing agreement for 2015 with Hennepin County and City of Richfield/Public Safety Department/Police for Police Cadet funds and Joint Community Police Partnership (JCPP) Program training funds S.R. No. 202
- I. Consideration of the approval and acceptance of the Master Grant Contract (MGC) from the State of MN, Department of Health for the 2015-2019 grant cycle that is designed to administratively simplify the review of grant agreements of local public health agencies S.R. No. 203
- J. Consideration of the approval of authorizing the purchase of pedestrian-scale street lights for the Penn Avenue Corridor between T.H. 62 and 67th Street, utilizing Community Development Block Grants, in an amount not to exceed \$61,000 S.R. No. 204
- K. Consideration of the approval of the first reading of an amendment to the City Zoning Ordinance adding "municipal parking lots" to the list of permitted uses in the Penn Avenue Corridor Overlay District S.R. No. 205

- L. Consideration of the approval of a resolution determining the results of the City General election on Tuesday, November 4, 2014 S.R. No. 206

RESOLUTION NO. 11000

RESOLUTION DETERMINING RESULTS OF THE GENERAL ELECTION OF
THE CITY OF RICHFIELD HELD ON TUESDAY, NOVEMBER 4, 2014

This resolution appears as Resolution No. 11000.

M/Fitzhenry, S/Sandahl to approve the Consent Calendar.

Motion carried 3-0.

Item #7	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #8	PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION GRANTING A CONDITIONAL USE PERMIT AND VARIANCE TO ALLOW EXPANSION OF AN EXISTING SOBER-HOUSING FACILITY (PROGRESS VALLEY) AT 308-78TH STREET EAST S.R. NO. 207
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Council Member Fitzhenry presented Staff Report No. 207.

Susanne Lambert, Progress Valley, Inc. Executive Director, was present for questions.

M/Fitzhenry, S/Sandahl to close the public hearing.

Motion carried 3-0.

M/Fitzhenry, S/Goettel that the following resolution be adopted and that they be made part of these minutes:

RESOLUTION NO. 11001

RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT AND
VARIANCE AT 308 78TH STREET EAST

Motion carried 3-0. This resolution appears as Resolution No. 11001.

Item #9	CONSIDERATION OF THE SECOND READING OF AN ORDINANCE ESTABLISHING A 12-MONTH MORATORIUM ON NEW ESTABLISHMENTS ALLOWING INDOOR SMOKING OR SAMPLING OF TOBACCO OR SIMILAR PRODUCTS AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF THE ORDINANCE S.R. NO. 208
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Council Member Sandahl presented Staff Report No. 208.

Chris Farmer-Lies, 2652-13th Avenue, Association of Non-Smokers, spoke in support of the moratorium.

Council Member Sandahl stated she would be inclined to not exempt pre-existing establishments but would approve this ordinance.

Mayor Goettel requested separate air handler systems be reviewed for these types of establishments.

M/Sandahl, S/Fitzhenry that this constitutes the second reading of Bill No. 2014-7, Transitory Ordinance No. 18.95, establishing a 12 month moratorium on new establishments allowing indoor smoking or sampling of tobacco or similar products, that it be published in the official newspaper and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11002

RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE ESTABLISHING
A 12-MONTH MORATORIUM RELATED TO ESTABLISHMENTS ALLOWING INDOOR
SMOKING OR SAMPLING OF TOBACCO OR SIMILAR PRODUCTS

Motion carried 3-0. This resolution appears as Resolution No. 11002.

Item #10	CONSIDERATION OF A RESOLUTION AUTHORIZING CONDEMNATION OF PROPERTY FOR THE RECONSTRUCTION OF PORTLAND AVENUE S.R. NO. 209
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Mayor Goettel presented Staff Report No. 209.

Transportation Engineer Pearson provided an update on the status of property negotiations and easements.

Public Works Director Eastling stated it is not anticipated that residential properties will go through the entire condemnation process but it will assist those in foreclosure or bank-owned to move through the process.

M/Goettel, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11003

RESOLUTION AUTHORIZING AND DIRECTING THE CONDEMNATION OF EASEMENTS
ENCUMBERING CERTAIN REAL ESTATE FOR A PUBLIC PURPOSE

Motion carried 3-0. This resolution appears as Resolution No. 11003.

Item #11	CONSIDERATION OF AUTHORIZING THE RICHFIELD HOUSING AND REDEVELOPMENT AUTHORITY AND ITS STAFF TO NEGOTIATE A PRELIMINARY AGREEMENT AND/OR PURCHASE AGREEMENT WITH THE DONALD JAMES GROUP FOR THE FORMER CITY GARAGE SITE PENDING CITY COUNCIL RATIFICATION S.R. NO. 210
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Mayor Goettel presented Staff Report No. 210.

Community Development Director Stark stated it is anticipated there could be a 6-month exclusive rights agreement.

Donald James, developer, discussed the revised preliminary layout concept for the site.

M/Goettel, S/Sandahl to authorize the Richfield Housing and Redevelopment Authority and its staff to negotiate a preliminary agreement and/or purchase agreement with the Donald James Group for the former City garage site pending City Council ratification.

Motion carried 3-0.

Item #12	CITY MANAGER'S REPORT
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None.

Item #13	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Sandahl that the following claims and payrolls be approved:

U.S. Bank		11/10/14
A/P Checks: 235715-236163	\$	1,848,975.08
Payroll: 105693-106020	\$	543,484.44
TOTAL	\$	2,392,459.52

Motion carried 3-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council open meeting was adjourned by unanimous consent at 8:08 p.m.

Date Approved: November 25, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager